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April 25, 2007

VIA E-FILING AND HAND DELIVERY

The Honorable Gregory M. Sleet
United States District Court
for the District of Delaware
844 King Street
Wilmington, DE 19801

Re: Applera Corp., et al. v. Thermo Electron Corp.,
C.A. No. 04-1230-GMS

Dear Judge Sleet:

On April 23, 2007, Thermo Fisher Scientific, Inc. ("Thermo") filed papers with the Patent and Trademark Office ("PTO") requesting reexamination by the PTO of U.S. Patent No. 4,963,736 ("the '736 patent"), the patent-in-suit in the above-captioned matter. The '736 patent is allegedly owned by plaintiff MDS Inc. Plaintiffs Applera Corp. and Applied Biosystems/MDS Sciex Instruments are allegedly co-exclusive licensees of the '736 patent.

As Your Honor is aware, this matter is presently stayed pending reexamination of Thermo's patent in Civil Action No. 05-110-GMS, with which the above-captioned matter is consolidated.

Thermo will advise the Court promptly when it learns whether the PTO will grant its request for reexamination.

If Your Honor has any questions, counsel is available at the Court's convenience.

Respectfully,



Frederick L. Cottrell, III

cc: Clerk of the Court (by e-filing and hand delivery)
Josy W. Ingersoll, Esq. (by e-filing and hand delivery)